

City of Tillamook Planning Commission Minutes
September 3rd, 2009

I. CALL TO ORDER:

Chairperson Stewart called the meeting to order at 7:00 pm.

Commission Members Present:

Jan Stewart, Chairperson

Howard Harrison, Vice Chairman

Rob Huston

Ray Jacobs

Commission Members Absent:

Nick Hahn - excused

Tamra Jacobs - excused

Staff Present:

David Mattison, City Planner

Guests Presents:

Steve & Cathie Hanthorn: PO Box 234, Oceanside OR 97134

Bob Fitzgerald: 6395 Long Prairie Rd, Tillamook OR 97141

II. HEARINGS OF CITIZENS AND DELEGATIONS: None

III. APPROVAL OF MINUTES.

Chairperson Stewart noted for the record there are four members of the Commission present therefore she will be voting in tonight's meeting in order to make a quorum.

- R. Huston made a motion to approve the minutes of the August 6th, 2009 meeting. H. Harrison seconded the motion. Chair Stewart asked if there was a discussion. None being she called for the vote. Ayes were received by H. Harrison, R. Huston, R. Jacobs and J. Stewart. The motion passed unanimously.

IV. PUBLIC HEARINGS:

(1) Chairperson Stewart opened the Public Hearing for Brewin' in the Wind Espresso, Conditional Use Permit #CU-09-01 and Site Plan Review #SP-09-02 for construction of a temporary espresso drive-thru stand on the property. She asked if any members of the commission had exparte contact, conflict of interest or bias? There being none from the commission members present she asked if any member of the audience would challenge that and there was none. She then asked City Planner Mattison to give his staff report.

City Planner Mattison stated **Steve and Cathie Hanthorn** of Oceanside are requesting permission to construct a temporary drive-thru espresso stand at 975 3rd

Street across from the Tillamook County Hospital. The property is owned by **Bob & Linda Fitzgerald** of Tillamook. He explained the location of property and gave the Map #1S 10W Section 25DB Tax Lot 3100. He explained the Comp Plan, Zoning, access and mentioned curbs and sidewalks for the property. At this time the property is vacant. He went on to address adjacent usage, utilities and flood potential. He explained to the Commission members the requirements necessary for approval and construction in a Multiple Use Residential (R-0) Zone. Height of the structure meets requirements. ODOT has requested an adjustment to the original set back, which **D. Mattison** will discuss later. Landscaping and parking were explained. ODOT requests were presented to the Commission members and will be included in the findings in the record. **D. Mattison** explained the requests of approach and driveway changes. The changes will meet City code. The applicant had revisions for the driveway also. **D. Mattison** spoke about ODOT requests and requirements that will need to be presented to the Planning Department prior to occupancy and will be handled administratively. **D. Mattison** commented on the five Conditional Use Permits requirements and criteria. He then presented the findings and conclusions and recommendation for approval of Conditional Use request CU-09-01 and Site Plan Review #SP-09-02 if the conditions are met as listed in the report.

Chairperson Stewart had questions about sidewalks, pathways and curbing which was explained. She then opened the meeting for questions from Commission members that would be addressed during discussion. Members brought up questions concerning gravel, the commissary building, temporary usage duration and driveway adjustments.

Chairperson Stewart asked the applicant, **Steve Hanthorn** to come forward and introduce himself and speak to the Commission members. Discussion ensued regarding, the commissary building and temporary usage duration between the Commission members and the applicant. **R. Jacobs** asked if the business became permanent would they look at blacktopping the area and the applicant stated it could certainly be looked at.

Chairperson Stewart asked if anyone else would like to speak in support, opposition or neutral testimony of the application. For the record, **Chairperson Stewart** stated there were no responses from the public. At that time she closed the public hearing and opened the discussion for Commission members.

Chairperson Stewart asked **D. Mattison** about future parking which she would like the issue documented in the file. She also asked that the ODOT requirements be included in the requirements in the appropriate section of the Findings and Conditions document. There was a discussion about which condition items will and will not be handled administratively. The driveway was discussed. The members discussed the changes being made to the Facts and Findings and where they need to be inserted into the document upon motion. Durable surface, temporary usage and landscaping issues were discussed. **Chairperson Stewart** and members discussed

site plan changes and procedures. Commissary size and requirements were discussed and how to add to the Facts and Findings document. **D. Mattison** stated the Site Plan was released to the public and there was no response, comments or questions concerning the Commissary building.

➤ **H. Harrison** made a motion to approve CU-09-01 and SP-09-02 with the following to be inserted in the Facts and Findings:

- 1) Temporary mobile espresso structure of 200 square feet and temporary mobile commissary not to exceed 400 square feet.
- 2) Landscaping requirement corrected to 10 % instead of 15 % in the findings.
- 3) Applicant has been determined to be exempted from walkways due to the temporary use.

The following conditions must be met as outlined by staff and also including the durable dustless surfacing requirement with in one year from date of occupancy and temporary usage to be reviewed in two years by City Planning Commission and staff to handle administratively changes due to ODOT access requirements including set backs, utilities, lights, signs and building locations. Any changes to parking will require additional review by the City Planning Commission. The motion was seconded by **R. Huston**. Ayes were received from **R. Jacob, J. Stewart, H. Harrison** and **R. Huston**. The motion carried unanimously. **Chairperson Stewart** announced there is 10-days period for an appeal.

2) Chairperson Stewart opened the Public Hearing for the revisions to Conditional Use Permit #CU-05-03 for the City Police Department regarding replacement and relocation of an existing tree. **D. Mattison** explained a letter from **Chief Terry Wright** explaining the reasons for replacing and relocating the tree. Since this is Public property the Tree Committee is not involved. Commission member asked questions of staff.

R. Huston and **J. Stewart** declared they may have exparte contact that will not influence their decision. No other members had any bias or conflict of interest. There were no public present, therefore no testimony. Staff and Commission member are the only people present. **Chairperson Stewart** closed the Public Hearing and opened the meeting for members discussion. The discussion was regarding the type of the new tree, trees blocking signs, community issues and impact and preservation of the tree being removed. **Chairperson Stewart** would like their concerns noted regarding preservation of the tree.

➤ **R. Huston** motioned to approve Conditional Use Permit #CU-05-03 Final Facts and Findings as presented. Motion was seconded by **R. Jacobs**. Ayes were receive by **H. Harrison, J. Stewart, R. Huston** and **R. Jacobs**. The motion carried unanimously.

V. ITEMS OF HIGH PUBLIC INTEREST: None

VI: ITEMS OF COMMISSION CONCERN:

H. Harrison asked if there were requirements for drawings submitted with applications. **Chairperson Stewart** mentioned if this was not addressed in the code, it needs to be. There was a discussion on drawing requirements, processes and code. Drawings need to be to scale and as accurate as possible. Unprofessional drawings should not be accepted. **D. Mattison** will research and bring code requirement for plans to the next meeting.

H. Harrison asked about the written request and who writes it. **D. Mattison** takes the information from the applicant's request. The members discussed the project request as it was presented and why the changes were necessary.

H. Harrison asked about the weed violation and why it was not being enforced in certain instances. **D. Mattison** said a complaint form needs to be filed. There was a discussion about unsightly weeds on foreclosure properties.

VII: ANNOUNCEMENTS:

R. Huston announced this will be his last meeting and he will be resigning from the Planning Commission due to conflicts in his schedule and time constraints.

Chairperson Stewart thanked him for his time on the commission.

VIII: ADJOURNMENT:

With no further discussion and no objections the meeting was adjourned by

Chairperson Stewart at 9:00 p.m.

Prepared by:

Debbi Reeves

Administrative Assistant

Approval Acknowledged by:

Jan Stewart, City Planning Commission Chairperson

Date